

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of 1998 Biennial Regulatory)	
Review -- Amendment of Part 18 of the)	
Commission's Rules to Update Regulations)	ET Docket No. 98-42
for RF Lighting Devices)	
)	
)	

ORDER

Adopted: May 27, 2003

Released: May 30, 2003

By the Commission:

1. On April 1, 1998, the Commission adopted a *Notice of Proposed Rule Making* ("Notice") in this proceeding. The *Notice* proposed changes to Part 18 of the Commission's rules to update the regulations for radio frequency (RF) lighting devices operating in the 2.2-2.8 MHz and 2400-2500 MHz ("2450 MHz") bands.¹ On June 9, 1999, the Commission adopted a *First Report and Order* that relaxed the emission limits for RF lighting devices operating in the 2.51-3.0 MHz band, but deferred action on changes to the rules for RF lighting devices operating in the 2450 MHz band to a future date.²

2. We find that with the passage of time, the *Notice* and record in this proceeding have become outdated. As noted above, the proposal for changes to the rules for 2450 MHz RF lighting devices was made in 1998. The only party that expressed interest in producing such RF lighting devices has informed the Commission that it will no longer pursue development of RF lighting devices in the 2450 MHz band. As there does not appear to be a need for further Commission action at this time, we are terminating this proceeding without prejudice to its substantive merits. If any party wishes to pursue the issues in this proceeding in the future, nothing precludes us from evaluating them in the context of a new proceeding.

3. Accordingly, IT IS ORDERED that, pursuant to Sections 4(i) and 4(j) of the Communications Act, 47 U.S.C. §§ 154(i) and 154(j), ET Docket No. 98-42 IS TERMINATED, effective upon issuance of this order.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

¹ See *Notice of Proposed Rule Making* in ET Docket No. 98-42, 13 FCC Rcd 11307 (1998). In the *Notice*, the Commission proposed to increase the AC power line conducted emission limit by 10 dB in the 0.45-30 MHz band for non-consumer RF lighting devices and by 22 dB in the 2.2-2.8 MHz band for consumer RF lighting devices. It also proposed to tighten the radiated emission limits above 1000 MHz for both consumer and non-consumer RF lighting devices.

² See *First Report and Order* in ET Docket No. 98-42, 14 FCC Rcd 9840 (1999). The Commission changed the originally proposed frequency band to 2.51-3.0 MHz to harmonize with international standards. At the request of parties participating in this proceeding, the Commission deferred action on rule changes for RF lighting devices in the 2450 MHz band.